S.B.Cr.Misc. IIIrd Bail Appl. No. 4491/2007

(Smt. Bhanwari vs. State of Rajasthan)

Date of order : September 11, 2007

HON'BLE MR.H.R.PANWAR,J.

Mr.G.R.Punia, for the petitioner.
Mr.Ashok Upadhyaya, Public Prosecutor.

This is third bail application filed by the petitioner.

Heard learned counsel for the petitioner and the Public Prosecutor for the State. Perused the order impugned and the challan papers. I have also gone through the statements of the prosecution witnesses so far recorded.

The FIR was lodged on the basis of "Parcha Bayan" of the deceased.

It is contended by the learned counsel for the petitioner that co-accused Suresh has been granted bail.

It appears that the injured person was tied with the jeep of Gopal Meghwal and dragged. No specific overt act has been assigned to the present petitioner and the case of the petitioner cannot be distinguished from that of co-accused Suresh, who has

been granted bail. Since co-accused Suresh has been granted bail, having regard to the facts and circumstances of the case and taking into account the oral arguments advanced by both the parties, I consider it just and proper to enlarge the accused petitioner on bail.

Accordingly, the bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that petitioner Smt. Bhanwari w/o late Shri Gopal Ram be released on bail in FIR No.352/2006, P.S. Nagaur provided she furnishes a personal bond in a sum of Rs.20,000/- with two sound and solvent sureties in the sum of Rs. 10,000/- each to the satisfaction of learned trial court for her appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(H.R.PANWAR),

J.

m.asif/-